

EXPRESS MAIL NO.: 402612973US

DATE OF MAILING: September 30, 1999

Our Case No. 6298/308

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of: )  
FOLEY ET. AL. ) Previously-  
Serial No.: Not Yet Assigned ) Assigned Examiner: A. Lewis  
Filing Date: Herewith ) Previously-Assigned  
FOR: EXHALATION VALVE FOR FACE MASK ) Group Art Unit No.: 3761  
WITH SPACER CHAMBER CONNECTION )



**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: BOX CONTINUATION

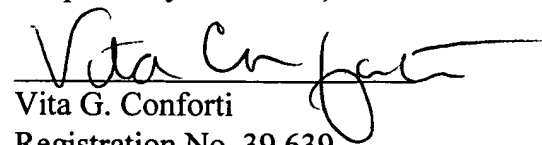
Sir:

Pursuant to the obligation under 37 C.F.R. 1.56 and in conformance with 37 C.F.R. 1.97-1.99, Applicants hereby submit references A1-A16 listed on the attached Forms PTO-1449 for consideration by the Examiner. Also submitted are the corresponding Information Disclosure Statement and Examiner-Initialled PTO Form 1449. In accordance with 37 C.F.R. 1.98(d) copies of these references are not provided since they were previously cited by or submitted to the Office in prior pending United States Application Serial No. 08/842,956, which is being relied upon for an earlier filing date under 35 U.S.C. 120.

The filing of this Information Disclosure Statement does not constitute an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). Further, Applicants reserve the right to contest that any of these references is prior art against the present application.

Applicants respectfully request that the Examiner review the entire disclosure of these documents and make them of record.

Respectfully submitted,

  
Vita G. Conforti  
Registration No. 39,639  
Attorney for Applicants

Dated: September 30, 1999

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
312/321-4200

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant Commissioner for Patents, Washington, D.C. 20231, on October 14, 1998.

Frank J. Kozak, Registration No. 32,908

Name of applicant, assignee or  
Registered Representative

*Frank J. Kozak*  
Signature

October 14, 1998

Date of Signature



Case No. 6298/226

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MARTIN P. FOLEY  
ROBERT MORTON

Group Art Unit: 3735

Serial No: 08/842,956

Examiner: K. Asher

Filed: April 25, 1997

For: EXHALATION VALVE  
FOR FACE MASK WITH  
SPACER CHAMBER  
CONNECTION (as  
amended)

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the obligation under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.99, Applicant hereby submits the following references for consideration by the Examiner. Copies have been enclosed along with the form PTO-1449.

Except for the following reference, all the references listed on the enclosed form PTO-1449 were previously cited or submitted in the prior application 08/270,752 or 07/973,280 to which Applicant claims priority under 35 U.C.S. '120, and therefore copies of these previously cited or submitted references are not provided in this application as permitted by 37 C.F.R. § 1.98(d).

**U.S. PATENT NO.**

**PATENTEE**

**ISSUED**

4,470,412

Nowacki et al.

September, 1984

**EXPLANATION OF THE REFERENCES**

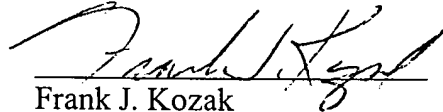
The fee for consideration of this information disclosure statement as required by 37 C.F.R. 1.97 (c) or (d) is enclosed herein.

Applicant requests to have these references included in the record of this application. Applicant further requests that the Examiner review the entire disclosure of each reference. It is believed that none of these references, alone or in proper combination, discloses or suggests the subject matter claimed by Applicant.

Applicant does not represent any of these references to be prior art and  
Applicant reserves the right to disqualify any reference by the showing of an earlier  
date of invention, if appropriate.

Respectfully submitted,

Dated: October 14, 1998

  
Frank J. Kozak  
Registration No. 32,908  
Attorney for Applicant

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Rev. Oct.-97  
6298/218 101498 Not. of Appeal

FORM PTO-1449	SERIAL NO. <b>Not Yet Assigned</b>	CASE NO. <b>6298/308</b>
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE <b>Herewith</b>	GROUP ART UNIT <b>3761</b>
(use several sheets if necessary)	APPLICANTS: <b>FOLEY, Martin P. and MORTON, Robert</b>	

**REFERENCE DESIGNATION**
**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	374,831	12/1887	Harrington		
	A2	440,713	11/1890	Krohne et al.		
	A3	1,695,170	12/1928	Burdick		
	A4	1,998,327	04/1935	McGuire		
	A5	2,164,330	07/1939	Katz et al.		
	A6	2,381,568	08/1945	Booharin		
	A7	2,432,946	12/1947	Theunissen		
	A8	2,848,994	08/1958	Aguado		
	A9	2,931,356	04/1960	Schwartz		
	A10	2,985,169	05/1961	Elling		
	A11	4,470,412	09/1984	Nowacki et al.		
	A12	4,809,692	03/1989	Nowacki et al.		
	A13	4,832,015	05/1989	Nowacki et al.		
	A14	4,865,027	09/1989	Laanen et al.		
	A15	5,012,803	05/1991	Foley et al.		
	A16	5,109,839	05/1992	Blasdell et al.		

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.